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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Tyler Brenneise, Allison Brenneise and Robert Brenneise, Plaintiffs, v. San Diego Unified School District, Defendant.	Case No. 08 CV 0028 WQH WMc **NOTICE OF MOTION AND MOTION TO CONSOLIDATE CASE NO. 08 CV 0039 WITH CASE NO. 08 CV 0028** **Date:** **March 24, 2008** **Time:** **11:00 a.m.** **Trial:** **none set**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on March 24, 2008 at 11:00 a.m., or as soon thereafter as this matter may be heard by the above entitled Court, located at 880 Front Street, San Diego, California, 92101, defendant SAN DIEGO UNIFIED SCHOOL DISTRICT will move for consolidation of *San Diego Unified School District v. T.B., a minor, Allison Brenneise and Robert Brenneise, his parents, Steven Wyner and Wyner and Tiffany*, Case No. 08 CV 0039 WQH WMc into *Tyler Brenneise, Allison Brenneise and Robert Brenneise v. San Diego Unified School District*, Case No. 08 CV 0028 WQH WMc. Consolidation is pursuant to Federal Rules of Civil Procedure Rule 42(a) and is noticed to be heard before Judge Hayes in Case No. 08 CV 28 WQH WMc. This motion is based on this Notice of Motion and Motion and the Memorandum of Points and Authorities and declaration submitted herewith, the pleadings and papers on file herein, and such further documentary or oral evidence and argument as the Court may allow.

No oral argument is required unless so requested by the Court.

DATED: February 26, 2008

MILLER BROWN & DANNIS

By: /s/ Sarah L.W. Sutherland
SARAH L. W. SUTHERLAND
Attorneys for the San Diego Unified School District

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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action; my business address is: Symphony Towers, 750 B Street, Suite 2310, San Diego, CA 92101.

On the date set forth below I served the foregoing document described as NOTICE OF MOTION AND MOTION TO CONSOLIDATE CASE NO. 08 CV 0039 WITH CASE NO. 08 CV 0028 on plaintiffs by serving their counsel of record electronically, having verified on the court's CM/ECF website that such counsel is currently on the list to receive emails for this case, and that there are no attorneys on the manual notice list.

Dated: February 26, 2008

Janice Karr

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